

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MICHAEL A. SHEPHARD,**

**Plaintiff**

**v.**

**UNIV. OF MARYLAND HOSPITAL,**

**Defendant**

\* \* \* \* \*

**CIVIL NO. JKB-12-2869**

**MEMORANDUM**

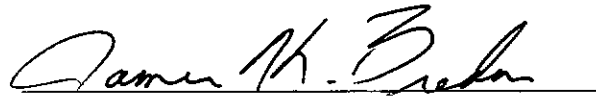
Plaintiff Michael Shephard, proceeding *pro se*, filed this case in Maryland state court claiming wrongful termination. (Compl., ECF No. 2.) The case was removed to federal court (ECF No. 1), where Defendant filed an answer (ECF No. 5). Thereupon, the Court entered a scheduling order, a copy of which was mailed to Plaintiff. (ECF No. 8.) Subsequent to removal, Plaintiff filed in state court a document entitled, "Filing for withdrawal of Complaint." (Def.'s Stip./Mot. Dismiss, Ex. A, ECF No. 14.) Defendant has submitted a Stipulation/Motion to Dismiss asking for the Court to consider Plaintiff's state-court filing as consent to voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1).

The Court notes that Defendant has requested that the dismissal be with prejudice. (Def.'s Stip./Mot. Dismiss 2.) However, Plaintiff did not so stipulate; thus, he has only stipulated, at most, to dismissal without prejudice.

The Court deems Plaintiff's "Filing for withdrawal of Complaint" as having been filed in this case. It, together with Defendant's stipulation and motion, shall be treated as a stipulated notice of dismissal without prejudice. A separate order will issue.

DATED this 7 day of December, 2012.

BY THE COURT:

A handwritten signature in black ink, appearing to read "James K. Bredar", is written over a horizontal line.

James K. Bredar  
United States District Judge